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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)



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Applicant's or agent's file reference PCT 09/03	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/AT 03/00639	International filing date (day/month/year) 17.10.2003	Priority date (day/month/year) 08.11.2002
International Patent Classification (IPC) or both national classification and IPC B65G47/51		
Applicant PERINI, Fabio		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 03.05.2004	Date of completion of this report 11.01.2005
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Schneider, M Telephone No. +31 70 340-4495 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IT 03/00639

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-7 as originally filed

Claims, Numbers

1-7 received on 02.12.2004 with letter of 23.11.2004

Drawings, Sheets

1/8-8/8 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IT 03/00639**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-7
	No: Claims	
Inventive step (IS)	Yes: Claims	1-7
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-7
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IT 03/00639

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: EP-A-0 470 538 (BAYER ISOLIERGLASFAB KG) 12 February 1992 (1992-02-12).

1. Document D1, which is considered to represent the most relevant state of the art, discloses a store from which the subject-matter of claim 1 differs in that the supports are connected to each other via two open side chains, whereby the side chains are connected to the central bars of the supports.

The combination of technical features of claim 1 is thus not known from the prior art and have the advantageous property, compared to the prior art, of providing a more compact store, the subject-matter of claim 1 meet therefore the requirements of the PCT with respect to novelty and inventive step (Articles 33(2),(3) PCT).

2. Claims 2-7 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step (Articles 33(2),(3) PCT).

02.12.2004

NEW CLAIMS

(41)

1) Store for stocking tubes therein comprising:

- means (4) for feeding tubes (1) into the store, and means (7) for unloading the tubes (1) therefrom, the store being located between said supply means (4) and said unloading means (7);
- a plurality of supports (8) each of which defines a plane inclined towards said unloading means (7) and able to receive a plurality of tubes (1) from said supply means (4): each of said supports (8) being movable between a stand-by position where it is empty, a position of transit of tubes (1) in which it defines an inclined plane which connects said tube-supplying means (4) to said tube-unloading means (7), and a stock position in which it is full up; each of said supports (8) consisting of a central bar or cross-piece to which more rods (81) are fixed orthogonally thereto and the said supports being connected to each other via two open side chains (85),

store characterized in that the said side chains (85) are connected to said bars (80).

2) Store according to claim 1, characterized in that the movement for disposing said supports (8) to said stand-by, transit and stock positions is developed in the vertical direction.

3) Store according to claims 1 and 2, characterized in that the said transit position is intermediate between the stand-by and stock positions.

4) Store according to claims 1-3, characterized in that in the said stand-by position, the said supports (8) result below said transit position.

5) Store according to one or more preceding claims, characterized in that, in correspondence of said means (4) for feeding the tubes (1), provision is made for a plurality of fixed chutes (11) oriented towards the store, and in that, in correspondence of said means (7) for unloading the tubes (1), provision is made for a plurality of fixed chutes (12) oriented towards the same means (7) and extending towards the store.

6) Store according to one or more preceding claims, characterized in that it comprises two pairs of uprights (82) which act as guides for said supports (8).

7) Store according to one or more preceding claims, characterized in that it has a variable geometry.